

**REQUIRED STATEMENT**  
**TO ACCOMPANY ALL MOTIONS FOR RELIEF FROM STAY**

All Cases: Debtor(s) Christopher Kwan Case No. 09 B 35920 Chapter 7All Cases: Moving Creditor ONEWEST BANK FSB FKA INDYMAC Date Case Filed 9/28/09  
BANK, F.S.B.Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe) \_\_\_\_\_

Chapter 13: Date of Confirmation Hearing \_\_\_\_\_ or Date Plan Confirmed \_\_\_\_\_

Chapter 7: \_\_\_\_\_ No-Asset Report filed on \_\_\_\_\_  
☒ No-Asset Report not Filed, Date of Creditor's Meeting: 11/09/09

1. Collateral
  - a. Home ☒
  - b. Car \_\_\_\_\_ Year, Make and Model \_\_\_\_\_
  - c. Other \_\_\_\_\_
2. Balance Owed as of Petition Date: \$548,592.49  
 Total of all other Liens against Collateral: \_\_\_\_\_
3. In chapter 13 cases, attach a payment history listing the amounts and dates of all payments received from the debtor(s) post-petition.
4. Estimated Value of Collateral (must be supplied in *all* cases) \$547,892.49, per Foreclosure Sale.
5. Default
  - a. \_\_\_\_\_ Pre-Petition Default  
 Number of months \_\_\_\_\_ Amount \$ \_\_\_\_\_
  - b. \_\_\_\_\_ Post-Petition Default
    - i. \_\_\_\_\_ On direct payments to the moving creditor  
 Number of months \_\_\_\_\_ Amount \_\_\_\_\_
    - ii. \_\_\_\_\_ On payments to the Standing Chapter 13 Trustee  
 Number of months \_\_\_\_\_ Amount \_\_\_\_\_
6. Other Allegations
  - a. \_\_\_\_\_ Lack of Adequate Protection § 362(d)(1)
    - i. \_\_\_\_\_ No insurance
    - ii. \_\_\_\_\_ Taxes unpaid Amount \_\_\_\_\_
    - iii. \_\_\_\_\_ Rapidly depreciating asset
    - iv. \_\_\_\_\_ Other (describe) \_\_\_\_\_
  - b. ☒ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)
  - c. \_\_\_\_\_ Other "Cause" § 362(d)(1)
    - i. \_\_\_\_\_ Bad faith (describe) \_\_\_\_\_
    - ii. \_\_\_\_\_ Multiple filings
    - iii. \_\_\_\_\_ Other (describe) \_\_\_\_\_
  - d. Debtor's Statement of Intention regarding the Collateral
    - i. \_\_\_\_\_ Reaffirm
    - ii. \_\_\_\_\_ Redeem
    - iii. \_\_\_\_\_ Surrender
    - iv. \_\_\_\_\_ No Statement of Intention Filed
    - v. ☒ Statement of Intention does not reflect property as filed

Date: 10/1/2009

/s/ Joel P. Fonferko  
 Counsel for Movant